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PolitiFact: Employment-based green card claim mostly true, but needs more data

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Sen. Tom Cotton, R-Ark., on Feb. 7, 2017 unveiled legislation to reform legal immigration. Republican Sen. Tom Cotton favors a new legal immigration system that's less focused on extended family reunification and more aligned with bringing in skilled workers.

Cotton, of Arkansas, contended on Fox News that of 1 million green cards issued annually, very few are employment-based.

"Right now we have a legal immigration system that is not working for American workers. Blue-collar workers, people who work with their hands, on their feet, have seen their wages stagnate for decades," Cotton said Feb. 7 on Fox News. "At the same time, we've seen record levels of immigration in recent decades. A million green cards a year, the population of Montana added to this country every year, population of Arkansas added every year, almost none of those green cards are based on job skills or demonstrated economic need. So, of course they compete for blue-collar jobs and put downward pressure on working-class wages."

There's a lot of debate about the role immigrants play in the workforce and how they impact wages. For this fact-check, we were curious about Cotton's claim that almost none of the 1 million green cards issued each year are based on skills or economic need. Data from the Department of Homeland Security supports his claim.

Cotton filed a bill Feb. 13 to reduce the number of family-sponsored immigrants, to eliminate the Diversity Visa Program, and to limit the president's discretion for setting the number of refugees admitted each year, among other things.

Cotton's bill parallels one of President Donald Trump's campaign promises to reform and limit legal immigration.

1 million green cards

The Immigration and Naturalization Act allows for 675,000 legal immigrant admissions a year, but that number is flexible, and certain categories for legal permanent resident are exceeded, says a 2014 Congressional Research Service report.

Admission preferences, according to the report, include: family-sponsored immigrants (about 480,000); employment-based preference immigrants (about 140,000); and diversity visa lottery immigrants (55,000). Refugees and asylum seekers who are adjusting their status are excluded from limit counts, the report said.

As Cotton said, the United States issues about 1 million green cards a year, allowing recipients to permanently live and work in the United States. The majority of people who become legal permanent residents annually already live in the country and receive their green card as a result of an adjustment of status. The rest are new arrivals.

The majority of green cards, about two-thirds, are given to individuals who have a family relationship with a U.S. citizen or lawful permanent resident in the United States, according to the Department of Homeland Security. Alex Nowrasteh, an immigration expert at the libertarian Cato Institute, in a 2013 post said the employment rate for family-based immigrants is 54 percent, excluding parents and minor children of U.S. citizens who are less likely to be of working age.

Caroline Rabbitt, Cotton's communications director, told us that when speaking about legal immigration reform, Cotton typically says only 1 out of every 15 immigrants come to the United States on a skills or employment-based visa and that his statement of "almost none" on Fox News was a modified turn of phrase.

"Only 1 out of every 15 immigrant is coming here for employment reasons. If we really needed all of these people because of their skills, because they help the economy grow, they'd be coming here on say an EB1 or EB2 visa, but they are not," Cotton said in a press conference Feb. 7, the same day of his Fox News interview, as he presented his new legislation.

Rabbitt presented us with a table noting the total number of green cards issued a year and the number and percentage of those that were skills-based (from 2001 to 2015). The calculations exclude green cards given to accompanying spouses and minor children.